

### **REMARKS**

The non-final Office Action dated August 25, 2009 has been received and reviewed. Prior to the present communication, claims 1, 3, 5-11, 13, 15-22, 24-30 and 37 were pending in the subject application. Each of claims 21, 24, 26, 27, 29 and 37 has been amended as set forth above and claim 22 has been cancelled. As such, claims 1, 3, 5-11, 13, 15-21, 24-30 and 37 remain pending. Applicants respectfully request reconsideration of the present Application in view of the above amendments and the following remarks.

### **Allowable Subject Matter**

Applicants would like to thank the Examiner for the indication of allowable subject matter in claims 1, 3, 5-11, 13 and 15-20, and in claims 22 and 24-30 but for them being dependent on a rejected base claim.

### **Objections**

Claims 22 and 24-30 have been objected to as being dependent on rejected base claim 21. Claim 21 has been amended to include the limitations of claim 22 (noted to be allowable), and claim 22 has been cancelled from the subject application thus rendering the rejection thereof moot. Each of claims 24-30 depends, either directly or indirectly from amended claim 21 and, accordingly, the objection of these claims is believed to have been overcome. Each of claims 21 and 24-30 is believed to be in condition for allowance and such favorable action is respectfully requested.

### **Rejections based on 35 U.S.C. § 102**

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 2 USPQ 2d 1913, 1920 (Fed. Cir. 1989). *See also*, MPEP § 2131.

Claims 21 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,466,239 to Ishikawa (hereinafter the “Ishikawa reference”). As the Ishikawa reference fails to describe, either expressly or inherently, each and every element as set forth in the rejected claim, as amended, Applicants respectfully traverse this rejection, as hereinafter set forth.

Amended independent claim 21 is directed to a computer implemented method of displaying a window in a graphical user interface of a shell of an operating system, comprising: receiving window information from an instance of an application program associated with a computing device; and rendering a window on a display associated with the computing device having a base object and a plurality of discrete primary content objects, wherein rendering is based on a base geometry defined by a mesh, base content margins, a base extent, and a base material.

By way of contrast, the Ishikawa reference describes a point of interest operation for moving an object corresponding to a selected node to the center of an editing window as pre-processing for changing the viewpoint of an object displayed in three-dimensional virtual space in a window of a display device. *See, Ishikawa reference* at Abstract.

The Ishikawa reference does not teach or describe the method of amended claim 21. As previously stated, claim 21 has been amended to include all of the limitations of claim 22, which claim was noted to be allowable in the outstanding Office Action. *See, Office Action dated 8/25/2009 at p. 7, ¶ 7.*

As the Ishikawa reference fails to describe, either expressly or inherently, each and every element as set forth in amended independent claim 21 it is respectfully submitted that the Ishikawa reference fails to anticipate amended independent claim 21. Accordingly, withdrawal of the 35 U.S.C. § 102(b) rejection of independent claim 21 is respectfully requested. Independent claim 21, as amended, is believed to be in condition for allowance and such favorable action is respectfully requested.

#### **Rejections based on 35 U.S.C. § 103**

Claims 37 has been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,870,088 to Washington, et al. in view of the Ishikawa reference.

Claim 37 has been amended as set forth above to be dependent on allowable independent claim 11. As such, claim 37 is believed to be in condition for allowance for at least the same reasons as set forth in the Office Action with respect to claim 11. As such, withdrawal of the 35 U.S.C. § 103(a) rejection of claim 37 and allowance thereof is respectfully requested.

### **CONCLUSION**

For at least the reasons stated above, claims 1, 3, 5-11, 13, 15-21, 24-30 and 37 are believed to be in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-474-6550 or [twilhelm@shb.com](mailto:twilhelm@shb.com) (such communication via email is herein expressly granted) – to resolve the same.

The fee for a one-month extension of time is submitted herewith by way of electronic payment. It is believed that no additional fee is due. However, if this belief is in error, the Commissioner is hereby authorized to charge any amount required, or credit any overpayment, to Deposit Account No. 19-2112, referencing attorney docket number MFCP.139600.

Respectfully submitted,

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